

SEALED

3:21-mj-00217

ATTACHMENT A
Description of Charges

Count 1
(Sexual Exploitation of Children)
(18 U.S.C. §§ 2251(a) and (2))

Between in or about July 2020 and about October 2021, in the District of Oregon and elsewhere, defendant **KEVIN ROBERT MCCARTY**, also known as Robbie MacKenzie, knowingly used, persuaded, induced, enticed, and coerced Minor Victim 1, a person under the age of 18, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct or transmitting a live visual depiction of such conduct, knowing or having reason to know that such visual depiction would be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, and such visual depiction having actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce.

In violation of Title 18, United States Code, Sections 2251(a) and 2.

Count 2
(Sexual Exploitation of Children)
(18 U.S.C. §§ 2251(a) and (2))

Between on or about September 14, 2021, and on or about October 6, 2021, in the District of Oregon and elsewhere, defendant **KEVIN ROBERT MCCARTY**, also known as Robbie MacKenzie, knowingly used, persuaded, induced, enticed, and coerced Minor Victim 3, a person under the age of 18, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct or transmitting a live visual depiction of such conduct, knowing or having reason to know that such visual depiction would be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, and such visual depiction having actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce.

In violation of Title 18, United States Code, Sections 2251(a) and 2.

Count 3
(Distribution of Child Pornography)
(18 U.S.C. § 2252A(a)(2))

Between in or about July 2020 and about October 2021, in the District of Oregon, defendant **KEVIN ROBERT MCCARTY**, also known as Robbie MacKenzie, knowingly and unlawfully distributed child pornography using any means or facility of interstate or foreign commerce.

In violation of Title 18, United States Code, Section 2252A(a)(2).

Count 4
(Cyberstalking)
(18 U.S.C. § 2261A(2)(B))

Beginning in or about July 2020 and continuing to about October 2020, in the District of Oregon and elsewhere, defendant **KEVIN ROBERT MCCARTY**, also known as Robbie MacKenzie, with the intent to harass or intimidate, used an interactive computer service, electronic communication service, or other facility of interstate commerce to engage in a course of conduct that caused, attempted to cause, or would reasonably be expected to cause substantial emotional distress to Minor Victim 1.

In violation of Title 18, United States Code, Section 2261A(2)(B).

Count 5
(Cyberstalking)
(18 U.S.C. § 2261A(2)(B))

Beginning in or about July 2021 and continuing to about September 2021, in the District of Oregon and elsewhere, defendant **KEVIN ROBERT MCCARTY**, also known as Robbie MacKenzie, with the intent to harass or intimidate, used an interactive computer service, electronic communication service, or other facility of interstate commerce to engage in a course of conduct that caused, attempted to cause, or would reasonably be expected to cause substantial emotional distress to Minor Victim 2.

In violation of Title 18, United States Code, Section 2261A(2)(B).

Count 6
(Online Enticement of a Minor)
(18 U.S.C. § 2422(b))

Beginning in or about July 2020, and continuing to about October 2021, in the District of Oregon and elsewhere, defendant **KEVIN ROBERT MCCARTY**, also known as Robbie MacKenzie, knowingly used a facility or means of interstate or foreign commerce, namely the internet, to persuade, induce, entice, or coerce Minor Victim 1, a person who had not attained the age of 18 years, to engage in any sexual activity for which any person can be charged with a criminal offense.

In violation of Title 18, United States Code, Section 2422(b).

Count 7
(Online Enticement of a Minor)
(18 U.S.C. § 2422(b))

Beginning in or about September 14, 2021, and continuing to about October 6, 2021, in the District of Oregon, defendant **KEVIN ROBERT MCCARTY**, also known as Robbie MacKenzie, knowingly used a facility or means of interstate or foreign commerce, namely the internet, to persuade, induce, entice, or coerce Minor Victim 3, a person who had not attained the age of 18 years, to engage in any sexual activity for which any person can be charged with a criminal offense.

In violation of Title 18, United States Code, Section 2422(b).

Count 8
(Transfer of Obscene Material to a Minor)
(18 U.S.C. § 1470)

Beginning in or about July 2020 and continuing to about October 2021, in the District of Oregon, defendant **KEVIN ROBERT MCCARTY**, also known as Robbie MacKenzie, knowingly used a facility or means of interstate or foreign commerce, namely the internet, to transfer obscene matter to Minor Victim 1, an individual who had not attained the age of 16 years, knowing that Minor Victim 1 had not attained the age of 16 years.

In violation of Title 18, United States Code, Section 1470.

STATE OF OREGON)
) ss: AFFIDAVIT OF CLINTON LINDSLY
County of Multnomah)

Affidavit in Support of a Criminal Complaint

I, Clinton Lindsly, being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I have been employed as a Special Agent (SA) by the U.S. Department of Homeland Security (DHS), Immigration and Customs Enforcement, Homeland Security Investigations (HSI) since August 2010. I am currently assigned to the child exploitation unit in the HSI office in Portland, Oregon. Previously, I was assigned to the HSI office in Los Angeles, California, where I worked for over six years in a money laundering and narcotics group that specialized in undercover operations. In 2018, I transferred to HSI Portland and continued to specialize in money laundering and narcotics investigations until January 2020. My formal law enforcement training includes successfully completing the 23-week HSI basic training course at the Federal Law Enforcement Training Center in Glynco, Georgia. During that training, I learned how to conduct child exploitation investigations. Since then, I have conducted numerous child exploitation investigations and have assisted federal and state partners with their child exploitation investigations. As such, I have become familiar with ways that child pornography is shared, distributed, and/or produced, including the use of various social media websites (Facebook, Twitter, Kik, Snap Chat, Discord, etc.), “cloud” based storage, peer-to-peer (P2P) networks, and Internet Relay Chat (IRC). I have also become familiar with jargon or slang terms that people involved in child exploitation will use to discuss their activities. Additionally, I have become familiar with how child pornography is sold, traded, and distributed

on the “dark net,” often being purchased with digital currency such as Bitcoin, Ripple, and others.

2. I have been the case agent for numerous investigations involving the sexual exploitation of children or the distribution, receipt, and possession of child pornography, and have assisted in many other investigations. I have participated in searches of premises and assisted in gathering evidence pursuant to search warrants, including search warrants in multiple child pornography investigations. I have participated in interviews of persons identified as possessing and distributing child pornography.

3. I submit this affidavit in support of an application for a criminal complaint charging **Kevin Robert MCCARTY** aka “Robbie MacKenzie” with violations of 18 U.S.C § 2251(a) (Sexual Exploitation of Children), 18 U.S.C. § 2252A(a)(2) (Receipt or Distribution of Child Pornography), 18 U.S.C. § 2261A(2)(B) (Cyber Stalking), 18 U.S.C § 2422(b) (Coercion and Enticement of a Minor), and 18 U.S.C. § 1470 (Transfer of Obscene Material to a Minor), collectively referred to as the “**Target Offenses.**” As set forth below, I have probable cause to believe that **MCCARTY** committed those offenses.

4. This affidavit is intended to show only that there is sufficient probable cause for the requested criminal complaint and does not set forth all my knowledge about this matter. The facts set forth in this affidavit are based on my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, a review of records related to this investigation, communications with others who have knowledge of the events and circumstances described herein, and information gained through my training and experience.

Applicable Law

5. *Title 18, United States Code, § 2251(a)* makes it a crime for any person to employ, use, persuade, induce, entice, or coerce any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, if such person knows or has reason to know that the visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed, if the visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if the visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed.

6. *Title 18, United States Code, § 2252A(a)(2)* makes it a crime to knowingly receive or distribute any child pornography using any means or facility of interstate or foreign commerce, or that has been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer.

7. *Title 18, United States Code, § 2252A(a)(5)(B)* makes it a crime to knowingly possess or access with intent to view child pornography that has been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or that was produced using materials that were mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer. The term “child pornography” is defined in 18 U.S.C. § 2256(8).

8. *Title 18, United States Code, § 2261A(2)(B)* makes it a crime for any person, acting with the intent to harass, intimidate, or place under surveillance, to use the mail, any

interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person.

9. *Title 18, United States Code § 2422(b)* makes it a crime for any person to use the mail or any facility or means of interstate or foreign commerce to knowingly persuade, induce, entice, or coerce any individual who has not attained the age of 18 years to engage in any sexual activity for which any person can be charged with a criminal offense, or to attempt to do so.

10. *Title 18, United States Code § 1470* makes it a crime for any person, using the mail or any facility or means of interstate or foreign commerce, to knowingly transfer obscene matter to another individual who has not attained the age of 16 years, knowing that such other individual has not attained the age of 16 years, or to attempt to do so.

Information Regarding Snapchat and Instagram

11. Snapchat is one of the most popular applications for sending and receiving “self-destructing” messages, pictures, and videos. Referred to as “snaps,” the company processes approximately 700 million messages every day on Apple’s iOS and Google’s Android operating systems. Snapchat users access the application frequently. According to marketing material provided by the company, the average Snapchat user checks their account 14 times a day. Snapchat also offers several other features including “Our Stories,” “Story,” messaging, and Snapcash.

12. A “snap” is a picture or video message taken and shared with other Snapchat users in real time. The sender of a snap has the option of setting a timer for how long a snap can be viewed. Once a snap has been viewed it is deleted from the company’s system and is no

longer visible to the recipient unless the recipient takes steps to record it while viewing it.

Snapchat users can send text messages to others using the Chat feature. Once a user leaves the Chat screen, messages viewed by both the sender and the receiver will no longer be visible. The application notifies other users when they are online so they can begin messaging each other. In addition, Snapchat users can send pictures to other users by utilizing the camera on their device. Pictures can also be sent from the saved pictures in the photo gallery of the device. “Snaps” constitute “electronic communications” within the meaning of 18 U.S.C. § 3123. See 18 U.S.C. §§ 3127(1) and 2510(12).

13. When a user creates an account, they choose a unique Snapchat username. This is the name that is visible to other Snapchat users. An e-mail address is required to register a Snapchat account. A new user is also asked to provide a mobile phone number. The e-mail address or phone number is verified during the registration process.

14. Instagram operates a free-access social-networking website of the same name that can be accessed at <http://www.instagram.com>. Instagram is now owned and operated by Facebook. Instagram allows its users to create their own profile pages, which can include a short biography, a photo of themselves, and other information. Users can access Instagram through the Instagram website or by using a special electronic application created by the company that allows users to access the service through a mobile device. When a user utilizes the Instagram app, geolocation and/or real-time GPS location data from the user’s phone is often shared with Instagram.

15. Instagram permits users to post photos to their profiles and share photos with others on Instagram, as well as certain other social-media services, including Flickr, Facebook, and Twitter. When posting or sharing a photo on Instagram, a user can add a caption to the

photo, can add various “tags” to the photo that can be used to search for the photo (e.g., a user may add the tag #vw to a photo so that people interested in Volkswagen vehicles can search for and find the photo), can add location information to the photo, and can add other information to the photo, as well as apply a variety of “filters” or other visual effects that can be used to modify the look of the posted photos. In addition, Instagram allows users to make comments on posted photos, including photos that the user posts or photos posted by other users of Instagram. Users can also “like” photos.

16. Upon creating an Instagram account, a user must create a unique Instagram username and an account password. Instagram asks users to provide basic identity and contact information upon registration and allows users to provide additional identity information for their user profile. This information may include the user’s full name, e-mail address(es), and phone number(s), as well as potentially other personal information provided directly by the user to Instagram. However, this information is self-reported and is not “verified” by Instagram. Once an account is created, users may also adjust various privacy and account settings for the account on Instagram.

17. Instagram allows users to have “friends,” which are other individuals with whom the user can share information without making the information public. Friends on Instagram may come from contact lists maintained by the user, other third-party social media websites, and information or searches conducted by the user on Instagram profiles.

18. Instagram also allows users to “follow” another user, which means that they receive updates about posts made by the other user. Users may also “unfollow” other users, that is, stop following the other user. Users may also block other users, which prevents the other users from following them.

19. Instagram allows users to post and share various types of user content, including photos, comments, and other materials. Additionally, Instagram users can directly communicate via private message with other Instagram users. Users on Instagram may also search Instagram for other users or specific types of photos or other content.

Statement of Probable Cause

Summary of Investigation

20. In September 2021, HSI Portland received a request from HSI agents in Vancouver, Canada, to assist in a child exploitation investigation involving an individual identified as **Kevin Robert MCCARTY**. As discussed below, **MCCARTY** used various social media platforms and phone numbers, including Google email accounts, Snapchat, and Instagram, to stalk at least three minor victims in Canada and to persuade, induce, entice, and/or coerce them to produce sexually explicit images and videos of themselves and to send the images and videos to him. If the minor victims refused, **MCCARTY** would threaten to release already obtained sexually explicit images and/or videos of the minor victims to their friends and families, which he did on several occasions. On at least two occasions, **MCCARTY** encouraged minor victims to commit suicide and/or harm themselves if they did not comply with his instructions to produce and send him sexually explicit images and videos. **MCCARTY** resides at 13415 SE Valemont Ln, Happy Valley, OR 97086 (Valemont residence).

21. The initial investigations involving the three minor victims were separate investigations that were eventually all linked to **MCCARTY** by commonalities including his online alias of “Robbie MacKenzie,” his claim to reside in California, his use of a telephone number with an Oregon area code to communicate with the victims, and his use of similar extortionate conduct to obtain sexual images and videos from each victim.

22. In this affidavit, I recount statements by the minor victims that they communicated with **MCCARTY**. The victims themselves did not identify **MCCARTY** by name. **MCCARTY** used various usernames and often used an alias. However, I believe that **MCCARTY** is the person who victimized each child based on the investigation described below, and the identification of **MCCARTY** by one victim's mother as the person calling himself Robert or Robbie MacKenzie.

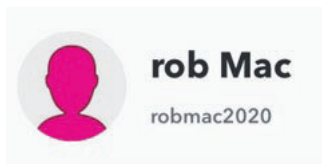
Discussion of MCCARTY and his Online Persona of "Robbie MacKenzie"

23. **MCCARTY** is approximately 36 years old and is believed to reside at the Valemont residence with his mother Bonnie McCarty, his sister Kimberly Oxford, her husband MacKenzie Oxford, and their children. The address on **MCCARTY**'s Oregon Driver's License is the Valemont residence. I believe that **MCCARTY** is either unemployed or possibly works from home as a "game developer." **MCCARTY** has a criminal history that includes a 2007 California state misdemeanor conviction for stalking; a 2007 California arrest for making an obscene or threatening phone call that was dismissed; and a 2011 California arrest for oral copulation with a person under 18, stalking, and obscene material depicting a minor, which were resolved with a California state felony conviction for stalking. **MCCARTY** was sentenced to 465 days in jail and 48 months of probation, both of which have been completed.

24. Based on the investigation, which is further described below, I believe that **MCCARTY** used various means to communicate with the minor victims, including the following:

a. Snapchat username "*Robmac2020*" – provided by Minor Victim 1 (MV-1) during a statement to police. MV-1 communicated with the person later identified as **MCCARTY** on this account. According to subpoenaed records, this Snapchat account was

activated on January 20, 2020, and is still active. During a search of Snapchat for this user, I found the following account:



b. Snapchat username “*Amenti_G2020*” – provided by MV-1 during a statement to police. MV-1 stated that she communicated with **MCCARTY** on this account. During a search of Snapchat for this user, I did not locate that account.

c. Snapchat username [*MV-1xxxx*] (actual screen name redacted as it includes MV-1’s name) – provided by Minor Victim 2 (MV-2) during a statement to police. MV-2 stated that she communicated with **MCCARTY** on this account. During a consent search of MV-1’s cell phone by police, investigators found this Snapchat account login. I believe that **MCCARTY** took over MV-1’s Snapchat account and pretended to be MV-1 to obtain sexually explicit images from MV-2, as discussed below.

d. Instagram username “*Catdaddy*” – provided by MV-1 during a statement to police. MV-1 stated that she communicated with **MCCARTY** on this account. According to subpoenaed records, this Instagram account has registered email addresses of fatcatdaddy@gmail.com and fatcatdaddt@gmail.com, a verified phone number of 713-391-4919, is in the name of “Shaun Walker,” and was created in 2011. The relationship between “Shaun Walker” and **MCCARTY** is not currently understood. I do not know whether “Shaun Walker” is an actual person, or another alias used by **MCCARTY**. However, given that **MCCARTY** has taken over MV-1’s social media accounts, I believe that it is possible that **MCCARTY** has

taken over another individual's or victim's account to continue his online persona of "Robbie MacKenzie."

e. Instagram username "*WoTbx00x*" – provided by Minor Victim 3 (MV-3) during a statement to police. MV-3 stated that she communicated with a person believed to be **MCCARTY** on this account. MV-3 stated that she sent nude pictures of herself and videos of herself masturbating to **MCCARTY** on this account.

f. Gmail account Robmac3469@gmail.com – provided by MV-1 during a statement to police. MV-1 stated that she communicated with **MCCARTY** on this account.

g. Phone number *619-612-1281* – provided by MV-1's mother during a statement to police. MV-1's mother stated that **MCCARTY** left voicemails on her phone from that phone number. That phone number is a Voice over Internet Protocol (VoIP) number serviced by the company TextNow¹. Subpoenaed records confirm that the account was associated with email address geraldmcgee6@gmail.com, was registered on April 27, 2021, and was assigned phone number 619-612-1281 between July 15 – August 13, 2021. A review of the toll records of this phone number revealed frequent communications with MV-1, MV-1's mother, and MV-1's grandmother between July and August 2021.

h. Phone number *503-344-8082* – provided by MV-1's mother during a statement to police. MV-1's mother stated that **MCCARTY** left voicemails on her phone from this phone number. Additionally, MV-3 stated that **MCCARTY** provided this phone number to her to send a "passcode" so that she could be paid by **MCCARTY** for producing sexually

¹ TextNow is an application one can install on their phone to create new phone numbers which utilize the internet to place calls.

explicit videos. According to subpoenaed records from T-Mobile, the phone number is subscribed to “Shane Jones” at 15528 SE Anderegg Parkway, Damascus, OR 97089, which appears to be a U-Haul dealership. The relationship between “Shane Jones” and **MCCARTY** is presently unknown. On November 5, 2021, I attempted to call the phone number to see if it was active. Someone answered after several rings, but that person said nothing. I heard someone breathing into the phone. After saying “hello” several times but receiving no response, I hung up.

i. Google email address Robm1754@gmail.com – provided by MV-1 during a statement to police. MV-1 stated that she communicated with **MCCARTY** on this account. According to subpoenaed records, this email account was deleted by its user on April 8, 2021.

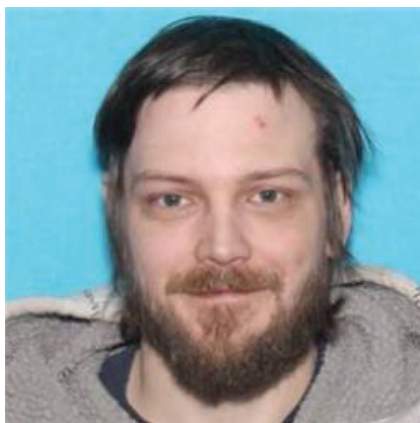
j. Google email address Robmac3469@gmail.com – provided by MV-1 during a statement to police. MV-1 stated that she communicated with **MCCARTY** on this account. In response to a subpoena, Google stated they had no records related to this email address.

k. Google email address catboypeanut@gmail.com – provided by MV-1’s school as being used to communicate with MV-1 through the school’s email system. MV-1’s school provided email communications between MV-1 and another person, believed to be **MCCARTY**. I have reviewed dozens of messages between MV-1 and the catboypeanut@gmail.com account, which include persistent demands that MV-1 have sex with other boys and video record the acts. According to subpoenaed records, that email account was most recently accessed by IP addresses resolving to T-Mobile and Verizon Wireless, consistent with the use of a cell phone. There was no useful subscriber information.

l. Google email address geraldmcgee6@gmail.com. This email account was associated with the TextNow account with phone number 619-612-1281, which was used to

communicate with MV-1, MV-1's mother, and MV-1's grandmother in July and August 2021. According to subpoenaed records, this email account was accessed on July 22 and July 27, 2021, from an IP address that was subscribed to the Valemont residence. I have reviewed toll records and confirmed frequent communication with MV-1, MV-1's mother, and MV-1's grandmother using that TextNow phone number during that same time period.

25. This is **MCCARTY**'s Oregon Driver License photograph:



Discussion of Minor Victims²

26. MV-1 resides in Canada and began communicating with **MCCARTY** in or around July 2020 when she was 14 years old. MV-1 came forward to police on November 13, 2020, and August 12, 2021, and provided a statement regarding "sextortion" by **MCCARTY**. MV-1 stated that she has sent over 50 nude photographs of her breasts, vagina, buttocks, and a video of her performing oral sex on another juvenile male to **MCCARTY** at his request. MV-1 stated she produced and sent this video because **MCCARTY** promised he would leave her alone

² None of the minor victims identified **MCCARTY** by his true name, and none identified him in a photographic lineup. In this affidavit, when I say that the minor victims interacted with **MCCARTY**, I mean that they interacted with an individual who I believe is **MCCARTY**, and who MV-1's mother identified from a photographic lineup.

if she did it. However, MV-1 stated that **MCCARTY** has shared the sexually explicit video and other nude images of MV-1 with her friends and family via social media. MV-1 stated that **MCCARTY** has also sent her numerous photos of his penis (“dick” pictures, in MV-1’s words). In April 2021, MV-1 stated that she became depressed from **MCCARTY**’s constant abuse and started to cut herself. The report and statements provided by MV-1 are consistent with statements provided by MV-1’s mother and MV-1’s aunt. I believe the statements made by MV-1 to be reliable and credible to the extent they have been corroborated by this investigation.

27. Minor Victim-2 (MV-2): MV-2 resides in Canada, is approximately 15 years old, and began communicating with **MCCARTY** in September 2021. MV-2 originally reported the online sexual abuse by **MCCARTY** to her school counselor, who then contacted police. MV-2 provided a statement to the police. MV-2 said she was befriended by **MCCARTY**, who I believe was impersonating MV-1 and using MV-1’s Snapchat account. MV-2 stated that she sent two nude pictures of herself to **MCCARTY** (who I believe was posing as MV-1) and was being “sextorted” for more. I believe the statements made by MV-2 to be reliable and credible to the extent they have been corroborated by this investigation.

28. Minor Victim-3 (MV-3): MV-3 resides in Canada, is approximately 14 years old, and began communicating with **MCCARTY** in September 2021 via the Instagram account “WoTbx00x.” MV-3 stated that she sent nude photos and videos of herself masturbating to **MCCARTY**. I believe the statements made by MV-3 to be reliable and credible to the extent they have been corroborated by this investigation.

Online Abuse of MV-1 by “Robert MacKenzie” (MCCARTY)

29. According to statements from MV-1, MV-1’s mother, and MV-1’s aunt, and records related to this investigation, MV-1 and **MCCARTY** first started communicating in July

2020. MV-1 said that **MCCARTY** messaged her on Snapchat and asked to be friends. After the initial communication on Snapchat, they began to communicate primarily on Instagram. At first, **MCCARTY** told MV-1 that he was a famous singer named “Wesley Tucker” and that he was approximately 17 years old. MV-1 stated that she sent nude pictures of herself on the first night that they started communicating and they eventually started to “date” online. After about three months, **MCCARTY** told MV-1 that his real name was “Robbie Mackenzie,” that he was older, and that he was moving to Canada to be with MV-1. MV-1 stated that she got “freaked out” and “tried to get rid of him” by blocking him on social media. However, **MCCARTY** contacted her friends and messaged them a bunch of stuff about her. She felt as if she was “trapped” and “couldn’t get away.”

30. MV-1 stated that at times she got so scared from the abuse that she would cry when his name popped up on her phone. MV-1 stated that **MCCARTY** routinely sent nude pictures of her to her friends and posted them on social media to get her to comply with his demands. In one instance in January or February 2021, **MCCARTY** logged into MV-1’s Facebook account and made a public post on her account that read “I Like Nigger Dick.”

31. MV-1 stated that **MCCARTY** took over all her social media accounts and routinely logged into them and sent sexual messages to other people to orchestrate sexual acts between MV-1 and other boys. MV-1 stated that she originally gave her passwords to **MCCARTY** because he told her that he had “trust issues,” but then he started to change the passwords to lock her out of her own accounts. MV-1 stated that **MCCARTY** would direct her to date older boys in her school and record herself performing sexual acts with them. MV-1 stated that **MCCARTY** threatened to “rape [her] little sister” if she didn’t perform the requested sexual acts with other boys.

32. MV-1 stated that she sent at least 50 nude images of her breasts, buttocks, and vagina to **MCCARTY**. Additionally, **MCCARTY** directed her to make a sexually explicit video of herself giving oral sex to a boy at her school. MV-1 produced the video at **MCCARTY**'s direction and sent it to **MCCARTY** so that he would stop. This video was recovered and reviewed by investigators in Canada. The video depicted MV-1 performing oral sex on a juvenile boy in a bathroom.

33. **MCCARTY** did not stop harassing and stalking MV-1. MV-1 stated that **MCCARTY** sent the sexually explicit video of MV-1 giving oral sex to the boy to all her friends. MV-1 stated that **MCCARTY** sent her a lot of pictures of his "dick." MV-1 stated that whenever they got into "fights," **MCCARTY** would log into her accounts and pretend to be her to get her in trouble. In another instance, **MCCARTY** sent MV-1's cousin a message that read "I wanna suck you off."

34. MV-1 told investigators that "Robbie MacKenzie" said he goes by the name "Robert" because he was named after his dad. In fact, **MCCARTY**'s father's name was Robert McCarty (he died in 2017), and **MCCARTY**'s middle name is Robert. MV-1 stated that one time they were talking on FaceTime and MV-1 heard his mom call him by the name "Kevin" (**MCCARTY**'s first name is Kevin). MV-1 stated that **MCCARTY** told her that he used to live in Oregon but now lives in California with his mom. In fact, **MCCARTY** used to live in California and now lives in Oregon with his mom (Bonnie McCarty). MV-1 stated that during the video chats with **MCCARTY** she learned that his mom was obsessed with roosters and had rooster-related items in the house.

35. MV-1 said that **MCCARTY** lived in one big house with his entire family including his mom, his sister, the sister's husband, and his sister's children. MV-1 stated that

she saw the children during video chats, that the sister's name is "Kimberly," the sister's husband's name is "Mackenzie," and the children's names (three boys and a girl) are "Josiah," "TJ, a baby named "London," and another child whose name MV-1 couldn't remember. MV-1 stated that **MCCARTY's** mom's name started with a "B," which is consistent with **MCCARTY's** mother's first name (Bonnie).

36. This investigation has revealed that **MCCARTY** resides at the Valemont residence with the following individuals:

a. Kimberly Oxford (nee McCarty) – Kimberly Oxford is believed to be **MCCARTY's** sister and has a date of birth of xx/xx/91. According to DMV records, Kimberly Oxford's reported address is the Valemont residence. I am familiar with Kimberly Oxford's appearance from reviewing her Oregon Driver License photograph. During a search of Facebook, I located an account in the name of Kimberly Oxford.³ During a review of the publicly posted photographs in that account, I identified numerous pictures depicting several children and a baby named "London." Images from her Facebook account with the faces of her children redacted follow:



³ <https://www.facebook.com/kimberlyoxford111>

b. MacKenzie Oxford – MacKenzie Oxford is believed to be Kimberly Oxford’s husband and has a date of birth of xx/xx/89. According to DMV records, MacKenzie Oxford lists his address as the Valemont residence. During a search of Facebook, I located an account in the name of “Mac Oxford.”⁴ During a review of the public postings, I identified several posts where he appeared to identify names of his children as “Josiah” and “TJ,” consistent with the names of some of the children in the household provided by MV-1. A screenshot from his account follows:



Mac Oxford

August 7, 2015 · 🌐

Josiah likes to remind us every time we eat that we don't let the dogs lick our fork because they sometimes eat poop and dirt.



Mac Oxford is with Kimberly Oxford.

July 9 · 🌐

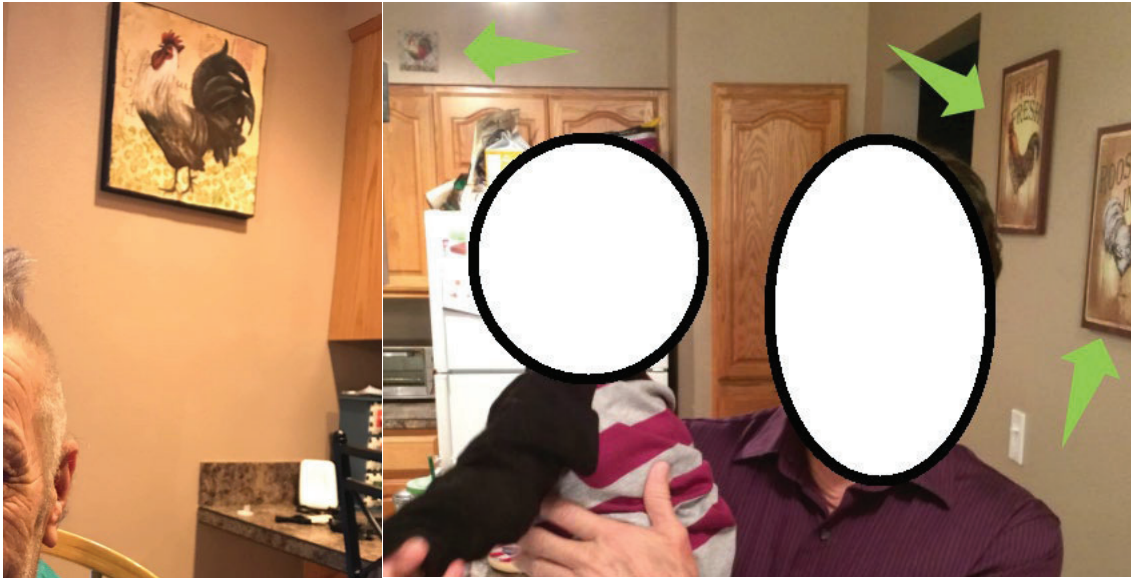
Sawyer and TJ wanted to dress as Luca and Alberto

c. Bonnie McCarty – Bonnie McCarty is believed to be **MCCARTY**’s mother and has a date of birth of xx/xx/60. According to DMV records, Bonnie McCarty lists her address as the Valemont residence.

37. Additionally, during a review of Kimberly Oxford’s and MacKenzie Oxford’s Facebook accounts, I located photographs that appeared to be taken inside a residence, which I believe to be the Valemont residence. In the background of the photographs, I saw paintings

⁴ <https://www.facebook.com/mackenzie.oxford>

depicting roosters, consistent with MV-1 stating that **MCCARTY**'s mother was obsessed with roosters and had rooster items throughout their house. Screenshots follow:



38. When she was asked to describe **MCCARTY**'s room based on their video chats, MV-1 stated, "Okay, so he didn't really have a life. Like he didn't do anything, so he makes video games. That's his job and so he has two PC's, computers and he sets me up in the corner, he sits in his chair and his bed is behind him on this side and then there's a window. It's all I ever see and he just sits there and makes games and talks to me."

39. When she was asked to describe **MCCARTY**, MV-1 provided a significant amount of detail consistent with **MCCARTY**'s DMV photo:



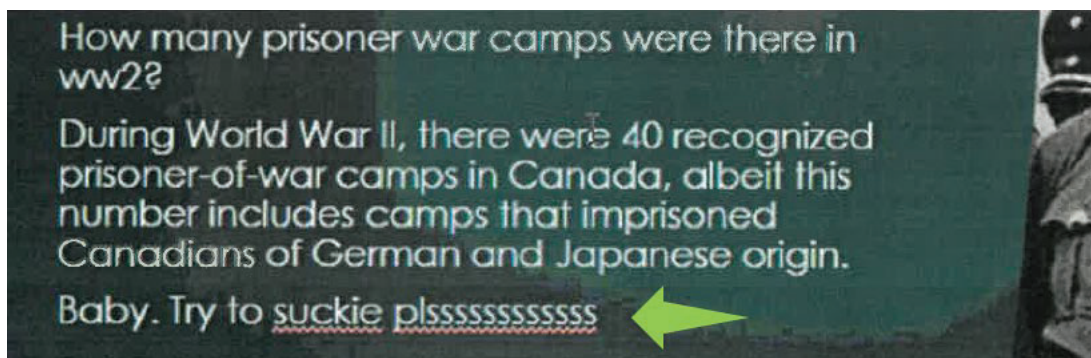
“Okay, um, he has kind of a patchy beard, he has brown hair, kind of blue, greyish eyes and sort of like a pointy nose and small lips and he has a moustache”

Investigators recently learned that MV-1 and **MCCARTY** are still communicating with each other. To protect the ongoing investigation and to avoid having MV-1 alert **MCCARTY** that investigators know who he is, investigators have not asked MV-1 to identify **MCCARTY** in a photographic lineup. MV-1 provided the foregoing description to investigators when she was cooperating with law enforcement and before investigators learned she and **MCCARTY** had resumed their online communications.

MCCARTY Continues to Direct MV-1 to Produce Sexually Explicit Videos at School

40. On November 2, 2021, Investigators learned from MV-1’s school that MV-1 is continuing to communicate with an individual who I believe to be **MCCARTY** via her school-issued email address. The use of this email account is controlled, governed, and reviewed periodically by school staff. The school located these emails on their own accord and not at the direction of law enforcement. Specifically, the school located numerous emails between MV-1’s school-issued email account and catboypeanut@gmail.com between September 15 and October 27, 2021. In addition to the email communications, the school located what I believe to be a “shared document” PowerPoint presentation involving a discussion of World War II. However, buried in the PowerPoint slides are hidden messages that I believe are between MV-1 and **MCCARTY**. I have reviewed these messages and am familiar with the general

conversations which include their relationship, homework assignments, MV-1 trying to get access to a phone to contact **MCCARTY**, MV-1's mother intervening and taking MV-1's devices away, **MCCARTY** encouraging MV-1 to date other boys and produce sexually explicit videos, and **MCCARTY** and MV-1 exchanging pictures. Often when MV-1 didn't respond quickly enough to an email, **MCCARTY** sent a flurry of emails. In one instance, **MCCARTY** told MV-1 that he was going to kill himself if she didn't respond. Several examples of email communications between **MCCARTY** and MV-1 follow. I have redacted MV-1's name and email address:



Screenshot from shared PowerPoint document with hidden message

From: Peanut Catboy

[<catboypeanut@gmail.com>](mailto:catboypeanut@gmail.com)

Sent: Friday, September 24, 2021 5:07 PM

To: [REDACTED]

Subject: Re: Re:

Maybe liam can be the guy we wanted before baby. Is he cute? Would daddy wanna get fucked by him with you?

From: Peanut Catboy [<catboypeanut@gmail.com>](mailto:catboypeanut@gmail.com)

Sent: Tuesday, September 28, 2021 1:06 PM

To: [REDACTED]

Subject: Re: Re:

Baby you need to. No telling me no. Get that fucking pp and phone my kitten. Before daddy takes away pussy touches

From: Peanut Catboy <catboypeanut@gmail.com>
Sent: Sunday, October 3, 2021 9:03 PM
To: [REDACTED]
Subject: Re: Re:

Baby is it gonna happen? Does he like you?

On Sun, Oct 3, 2021, 7:02 PM [REDACTED] wrote:
he better give me so many treats i wont be able to get up and im so fat

From: Peanut Catboy <catboypeanut@gmail.com>
Sent: Sunday, October 3, 2021 9:00 PM
To: [REDACTED]
Subject: Re: Re:

Baby like is it gonna happen? Is liam gonna give my kitten her treats? He better give it to you. Ur such an irresistible kitten

From: Peanut Catboy
<catboypeanut@gmail.com>
Sent: Tuesday, October 5, 2021 8:58 PM
To: [REDACTED]
Subject: Re: Re:

[REDACTED] bear...my one and only...I'm sitting here in my car crying...I always have such strong emotions when I hear music and think of you [REDACTED]. Are you leaving me? Emotionally? Am I losing you? Babygirl, I moved my entire existence here to be with you and I cant do this without you. Please kitten..my heart breaks and all I want is you [REDACTED] I need it to be [REDACTED] [REDACTED] Today u seemed off. . U didnt call me daddy at all. You didnt say you loved me or missed me. Nothing. Even in the morning. What happened with ur mom that ruined ur day? Please dont avoid these things. Please tell me. Please reply to eveything..please I'm begging you

From: Peanut Catboy
<catboypeanut@gmail.com>
Sent: Wednesday, October 6, 2021 11:54 AM
To: [REDACTED]
Subject: Re: Re:

Oooooooooohhhhhhhh. It made u drip!! Didnt it. Seeing Ethan lusting after my fuck kitten.

On Wed, Oct 6, 2021, 9:53 AM [REDACTED] wrote:
maybe...

From: Peanut Catboy
<catboypeanut@gmail.com>
Sent: Wednesday, October 6, 2021 11:51 AM
To: [REDACTED]
Subject: Re: Re:

Baby I love you so much. I really needed that long email. It helped me alot baby. Please email me back as soon as you can. I'm excited to have our day emailing baby. I have lots to say and ask and I just wanna make u feel loved. I'm so sorry ur period was making u feel like that. I wish I could take it all away. Baby are u saying u look fucking hot today and ethan wanting u made u uncomfy?

From: Peanut Catboy <catboypeanut@gmail.com>

Sent: Wednesday, October 6, 2021 12:17 PM

To: [REDACTED]

Subject: Re: Re:

From: Peanut Catboy <catboypeanut@gmail.com>

Sent: Wednesday, October 6, 2021 12:06 PM

To: [REDACTED]

Subject: Re: Re:

U should go with ethan baby lol get him out to the spot pull his pp out almost put it in and say u have to go and kiss the tip and walk away. Lol

Bbay get that fucking dick and ride it like the good girl u are. Make that cock squirt cummies into ur sweet pussy or mouth. Make daddy squirm and wonder if u like his cock more. Make daddy beg to know what happened. Make daddy beg to see the pics. Vids. Anything. Make daddy cum endlessly to seeing his love, his cum kitten being pleased by a pretty boy that makes her wet

From: Peanut Catboy <catboypeanut@gmail.com>

Sent: Wednesday, October 6, 2021 8:22 PM

To: [REDACTED]

Subject: Re: Re:

Kitten. You said to give you punishments. You said that you wanted the daddy kitten life. Listen to me kitten. Tell me why I'm going to your junk box instead of inbox like before. And u haven't told me at all in the past 2 days what u have said to Liam or what you talked about. U didnt mention him at all. Kitten if you're not telling me something daddy will make sure you are punished. I'll take away daddy if ur hiding stuff.. Also kitten, you told me u would email me when u were playing minecraft and you've told me before that u would call or email and you haven't. Now I know it's not ur fault and sometimes it's to hard but listen kitten.. if you keep forgetting about daddy I'm

From: Peanut Catboy <catboypeanut@gmail.com>

Sent: Thursday, October 7, 2021 12:00 PM

To: [REDACTED]

Subject: Re: Re:

Ok. I'll add him tonight. So tell him you'll add him when u get ur moms phone. That way he knows it's you. I will lightly talk to him. I wont be naughty till my kitren wants me to. But don't make me punish you kitten. Babygirl I really wanna see you fuck this pretty boy. I want my kitten to feel a pretty boys hand and fingers rubbing her. Make . It. Happen. Today. Kitten. Make him pet ur pussy

On Sat, Oct 23, 2021, 11:46 PM Peanut Catboy <catboypeanut@gmail.com> wrote:
No. Take it all back or I'll jump into this road!

On Sat, Oct 23, 2021, 11:45 PM Peanut Catboy <catboypeanut@gmail.com> wrote:
U sit there and say I'm mad because u didnt fuck anyone for me? Wtf? I didnt want u to fuck preston and u fucking begged me to let u fuck him and date him! How the fuck am I doing this for revenge? U are my ducking world I loves to ur stupid shit country to be with you.

On Sat, Oct 23, 2021, 11:43 PM Peanut Catboy <catboypeanut@gmail.com> wrote:
YES I DIFKING DID. SYA IT AGAIN AND ILL JUMO INTO THIS ROAD

On Sat, Oct 23, 2021, 11:42 PM Peanut Catboy <catboypeanut@gmail.com> wrote:
Baby stop rn! Or I'll never speak to you again! Stop it rn! I'll fixking move back! STOP IT RN

On Sat, Oct 23, 2021, 11:41 PM Peanut Catboy <catboypeanut@gmail.com> wrote:
Please no! Please my whole.life is up here now. Please! Baby!

On Sat, Oct 23, 2021, 11:41 PM Peanut Catboy
<catboypeanut@gmail.com> wrote:
I'm killing myself!

MV-1's Mother Provides Statement to Police and Identifies MCCARTY in Photo Lineup

41. On August 12, 2021, MV-1's mother met with police and provided a statement about **MCCARTY's** continued online sexual abuse and stalking of her daughter. Her statements were similar to statements provided by MV-1 and MV-1's aunt.

42. MV-1's mother has attempted to intervene and stop the communication between MV-1 and **MCCARTY** since approximately November 2020, which is when she became aware of the online abuse. MV-1's mother has personally communicated with **MCCARTY** by voice, phone, and video chat. MV-1's mother is familiar with the sound of **MCCARTY's** voice and with what **MCCARTY** looks like.

43. MV-1's mother stated that in February 2021, MV-1 had a huge "breakdown" and was scared that "Robbie" was going to "come and rape her sister" and "kill her grandma" if she didn't him send nude pictures. MV-1's mother stated that she talked with **MCCARTY** on the phone and that **MCCARTY** would routinely leave her voicemails crying on her phone.

44. On November 12, 2021, MV-1's mother met with police for the purposes of attempting to identify "Robbie MacKenzie" from a photographic lineup. I prepared this lineup using **MCCARTY**'s DMV photo and five photos of similarly aged men against blue backgrounds. The law enforcement officer who conducted the lineup display with MV-1's mother had no knowledge about **MCCARTY**'s identity or which photo was of him. MV-1's mother was read a series of instructions about the photographic lineup. The identification procedure was audio and video recorded. Within approximately 20 seconds, MV-1's mother positively identified **MCCARTY** as "Robbie MacKenzie." MV-1's mother stated that she recognized him due to his "hair, beard, eyes, and the darkness within the male's eyes." MV-1's mother stated that she was "98%" sure of her identification. A screenshot of the lineup showed to MV-1's mother and her corresponding statement follows. I have redacted MV-1's mother's name to protect her identity.



Date: November 12, 2021

I, [REDACTED], swear or affirm that, today, I have been shown a
(Print or type full name of viewing witness here)
 live/photographic lineup display consisting of six (6) persons. The individuals/photographs are numbered, and I
 have identified ☒ None of them or ☒ Individual/Photograph number 3. (Check the box that applies
 and insert the number if applicable.)

as "Robbie", I have seen him facetimeing
(Name of the suspect, and/or a description of the basis for knowing the suspect)
with my daughter multiple oc-times.

MV-1's Aunt Reports Abuse by MCCARTY to NCMEC

45. MV-1's aunt has attempted to intervene and stop the communications between MV-1 and MCCARTY since approximately April 2021, which is when she became aware of the abuse. On April 8, 2021, MV-1's aunt called and reported the online stalking and sexual abuse of MV-1 by "Robbie MacKenzie" to the National Center for Missing and Exploited Children

(NCMEC). This report was documented in NCMEC CyberTipline Report #88608905, which I have reviewed. Generally, MV-1's aunt provided a similar statement as MV-1 and MV-1's mother involving MV-1's year-long struggle with being cyber stalked and sexually abused and exploited online by **MCCARTY**. MV-1's aunt stated that she took pictures of numerous communications on MV-1's devices between MV-1 and **MCCARTY**, who used various social media screen names and phone numbers including: "robbiemack0034," 971-325-4420, robm1754@gmail.com, "jojojo9901," "skwiwi7duw892wo," and "amentifa." MV-1's aunt stated that **MCCARTY** would threaten to kill himself if MV-1 attempted to break up with him. MV-1's aunt stated that **MCCARTY** had MV-1's address and that he threatened to come rape MV-1's little sister. MV-1's aunt stated that **MCCARTY** sent nude images of MV-1 to her friends from school and that one of MV-1's friends confirmed they had received the images. MV-1's aunt stated that **MCCARTY** had enticed MV-1 to harm herself during previous conversations. Several examples of communications between **MCCARTY** and MV-1, which MV-1's aunt sent to NCMEC, follow:

- a. File "IMG_3558" appears to depict a message from **MCCARTY** to MV-1, in which **MCCARTY** sent MV-1 a website address for "AnonIB," which **MCCARTY** asserted contained posted nude images of MV-1.⁵
- b. File "IMG_3560" appears to depict a message from **MCCARTY** to MV-1, in which **MCCARTY** wrote, "I'll post your grandma's address."

⁵ AnonIB is an adult image board where anyone can share pornographic images and write comments anonymously.

c. File “IMG_3561” appears to depict a message from **MCCARTY** to MV-1, in which **MCCARTY** tells MV-1 that they will visit MV-1’s school and grandmother’s house. **MCCARTY** states he will drive up and down MV-1’s street in different rental cars.

d. File “IMG_3531” appears to depict a message from **MCCARTY** to MV-1, in which **MCCARTY** tells MV-1 that he sent a video of MV-1 engaging in sex acts to another user on Facebook.

e. File “IMG_3555” appears to depict a message from **MCCARTY** to MV-1, in which **MCCARTY** states, “if anything happens to be [me] ill cut ur sister’s throat” and “i will get out on bail and murder her” [emphasis added].

MV-2 Reports Online Sexual Extortion and Cyberstalking

46. In September 2021, MV-2 reported to her school counselor that nude images of her were being circulated around the school, and that she was being blackmailed online to produce more. After making that report, MV-2 met with police and provided a statement. In summary, MV-2 stated that several months ago she became friends with a person on Snapchat whom she believed was a girl and whose Snapchat username was MV-1’s name. I believe that person was **MCCARTY**. MV-2 stated that after talking with the Snapchat user, she sent two nude videos of herself. After sending the first two videos, the person began asking for more images and for a video of MV-2 performing oral sex on a boy, consistent with the online extortion of MV-1. **MCCARTY** threatened that if MV-2 didn’t comply, her nude images would be sent to her friends on Snapchat. After MV-2 refused to produce additional sexually explicit images and videos, **MCCARTY** sent nude images of MV-2 to many of her Snapchat and Instagram contacts.

47. MV-2 stated that the online harassment came from multiple accounts, but she believed that it was the same person as they were always saying the same thing. Due to this stalking, MV-2 quit Snapchat for a while. Then, a user with MV-1's name showed up on MV-2's Instagram account and continued the threatening messaging and demands (MV-1 has an Instagram account in her name).

48. MV-2 stated that she told **MCCARTY** that the images and videos were "child porn" but **MCCARTY** stated that he didn't care. MV-2 described the threats and messages from **MCCARTY** as constant and that **MCCARTY** told her that she was either going to make the videos or commit suicide. MV-2 stated that she received many messages from **MCCARTY** in which he told her to slit her wrists or to take pills and kill herself. MV-2 stated that at one point, **MCCARTY** boasted that the police can't get him even though they already tried.

49. MV-2 stated that one time a "girl" (who I believe is most likely MV-1 or **MCCARTY** posing as MV-1) got back on the Snapchat account and urged MV-2 to make the video for "Robbie." The girl said that she had made a video for "Robbie" and was paid for it and urged MV-2 to do the same thing. MV-2 also stated that **MCCARTY** told her at one point that he had taken over MV-1's Snapchat account a long time ago.

50. Investigators reviewed the contents of MV-2's cell phone with her consent and located messages and communications consistent with MV-2's statement. Investigators located communications between MV-2 and **MCCARTY** in several social media accounts including MV-1's Snapchat account, MV-1's Instagram account, Snapchat username "Scft Piink," Instagram username "scftpiink_uwu," and Instagram username "chungusmagee." MV-2 took screenshots of these messages and provided them to investigators. Screenshots of some of the

messages between accounts that I believe were used by MCCARTY and MV-2 follow. I have redacted MV-1's name to protect her identity:

"I'll show u that u said so when ur slitting ur wrists from all the attention lol,
Good luck getting into a a good school with ur underage nudes online
Good luck finding a job lol ...

...

Everyday until I get the videos I will do this
to your friends and family
Tootles suicide suzy
U could have just taken the simple deal and u
would have had money and no one would know
about u being a slut
Ur the definition of stubborn"

(File scftpiinkalreadyknows.jpg)

"I'll show ur family
Ask [REDACTED] what I showed her school and her
step dad and her mom
ask hern"

(File scftpiinksnap1.jpg)

[REDACTED]
I'm sorry I tricked u into thinking I was [REDACTED]
I'll go away and stop
Let mr pay u for the bj stuff
Please
Name a price
I'll send the money first
I'll disappear and ull have ur money"

(File JoeyInstachat.jpg)

"...I didn't send ur nudes to anyone other than 2 people..."

(File JoeyInstachat2.jpg)

MV-3 Reports Online Sexual Extortion and Cyberstalking

51. On October 6, 2021, MV-3's mother reported to police that MV-3 was being extorted online for nude pictures. In a statement to police, MV-3 disclosed that she started messaging the Instagram user "WoTbx00x" in September 2021. Investigators confirmed through a review of MV-3's messages that the communication began on September 14, 2021. During a review of the chat logs, MV-3 originally stated she was 17 and then lowered her age to

15 (in fact, MV-3 was only 14 years old). MV-3 stated that she believed the male user of the Instagram account “WoTbx00x” to be 22 years old, that his name was “Robbie Mackenzie,” and that he lived at an address in Riverside, California, all of which are consistent with statements **MCCARTY** made to other victims. MV-3 stated that **MCCARTY** provided her with the phone number 503-344-8082 (the same phone number identified by MV-1’s mother as being used by **MCCARTY**) as a number for her to call and enter a passcode in exchange for money for sending the nude pictures. Investigators saw that MV-3 sent nude pictures and videos of herself to the Instagram user “WoTbx00x” (**MCCARTY**), including videos showing MV-3 masturbating.

Request to Seal

52. I respectfully request that the Court issue an order sealing the criminal complaint, this affidavit, and the resulting arrest warrant. Premature disclosure of the existence of the complaint and arrest warrant could result in flight from prosecution or the destruction of evidence. In addition, based on **MCCARTY**’s communications with MV-1, in which he threatened to rape and kill her sister if he is contacted by the police, premature disclosure of the criminal complaint and arrest warrant could put one or more minor victims or their family members at risk of bodily harm.

Conclusion

53. Based on the foregoing, I have probable cause to believe that on or about the dates listed in the attachment to the criminal complaint, **Kevin Robert MCCARTY** committed the **Target Offenses** set forth therein. Therefore, I respectfully request that the Court issue a criminal complaint charging **MCCARTY** with those offenses.

54. Prior to being submitted to the Court, this affidavit, the proposed criminal complaint, and the requested arrest warrant were all reviewed by Assistant United States Attorney (“AUSA”) Gary Sussman. AUSA Sussman advised me that, in his opinion, the affidavit is legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint.

By telephone

CLINTON LINDSLY

Special Agent

Homeland Security Investigations

Sworn to telephonically pursuant to Fed. R. Crim. P. 4.1 at 10:45 am/~~pm~~ on
November 16 2021.

Jolie A. Russo

HONORABLE JOLIE A. RUSSO

United States Magistrate Judge